

Date: Tuesday, 19th November 2019  
Our Ref: MB/SS FOI 4096

Sid Watkins Building  
Lower Lane  
Fazakerley  
Liverpool L9 7BB  
Tel: 01515253611  
Fax: 01515295500  
Direct Line: 01515563037

**Re: Freedom of Information Request FOI 4096**

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 31st October 2019.

Your request was as follows:

Please reply to the following questions in relation to the last 3 full financial years for the Trust (I refer to this as being "the Period" in the text of the questions).

1. How many clinical incidents were recorded in the Local Risk Management Reporting System (LRMS) during the Period?

2016/2017 - 1837

2017/2018 - 1685

2018/2019 - 1934

Please reply to the following questions in relation to the last 3 full financial years for the Trust (I refer to this as being "the Period" in the text of the questions).

2. How many of these were recorded as being incidents of a life-threatening or otherwise serious nature?

2016/2017 - 5

2017/2018 - 6

2018/2019 - 5

Please reply to the following questions in relation to the last 3 full financial years for the Trust (I refer to this as being "the Period" in the text of the questions).

3. During the Period, how many cases have occurred (whether or not also recorded in the LRMS) whereby an employee or other worker (all of whom for the purpose of this FOI request I shall call Workers) has raised a concern whether about patient safety, clinical or non-clinical malpractice or any other matter? Note: for the purpose of clarity, I refer here to cases which would usually be considered to be "whistleblowing" cases (this may be the case regardless of whether the concern was raised internally, with a line manager or other person within the Trust, or externally, with another organisation such as another NHS body or a regulator such as the CQC). I will refer to these cases in the questions below as Whistleblowing Cases and to the Workers who raise

the concern as Whistleblowing Workers. I have tried to explain in some detail in order to be as clear as possible about my enquiry and to assist you in responding accurately.

Here at The Walton Centre Foundation Trust (WCFT) during the last 3 full financial years no staff have raised concern whether about patient safety, clinical or non-clinical malpractice or any other matter.

Please reply to the following questions in relation to the last 3 full financial years for the Trust (I refer to this as being "the Period" in the text of the questions).

4. Of the Whistleblowing Workers who raised concerns during the Period, how many are still working for the Trust and how many are no longer working for the Trust?

N/A

Please reply to the following questions in relation to the last 3 full financial years for the Trust (I refer to this as being "the Period" in the text of the questions).

5. Of the Whistleblowing Cases which arose during the Period:

5.1 how many were resolved satisfactorily (by which I mean any clinical, malpractice or other issues were addressed and any dispute with the Whistleblowing Worker was amicably resolved)?

5.2 in how many cases were Employment Tribunal (ET) proceedings or other legal proceedings started?

5.3 how many were resolved by ACAS intervention before the ET or other hearing?

5.4 how many were the subject of other attempts at mediation or other form of alternative dispute resolution (eg clinical early evaluation), whether by internal NHS Staff who mediated or by an external mediation provider such as CEDR (the Centre for Effective Dispute Resolution)? I refer to these below as ADR Cases;

5.5 how many went to a full ET hearing?

N/A

Please reply to the following questions in relation to the last 3 full financial years for the Trust (I refer to this as being "the Period" in the text of the questions).

6. In relation to the ADR Cases:

6.1 how many were the subject of a mediation at any stage?

6.2 how many were the subject of another form of alternative dispute resolution (eg arbitration) at any stage?

6.3 how many were resolved by means of the mediation or other form of alternative dispute resolution?

6.4 does the Trust use internal NHS mediators and are they formally qualified as mediators? If so, how many ADR Cases did they settle during the Period?

6.5 does the Trust engage external mediation providers such as CEDR (see above)? If so, how many ADR Cases did they settle during the Period?

N/A

Please reply to the following questions in relation to the last 3 full financial years for the Trust (I refer to this as being "the Period" in the text of the questions).

7. Does the Trust have a main board director with explicit responsibility for monitoring and reviewing Whistleblowing Cases and if so:

7.1 what is his/her name?

7.2 is he/she an executive or non-executive director?

7.3 how many Whistleblowing Cases were referred to the director during the

Period?

7.4 does the director issue a report (eg annually) as to his/her findings? If so, please provide a copy of any such report issued during the Period;

7.5 is any report issued by the director made public or shared with any third parties

7. The Trust have an Executive Director and Non-Executive Director for Raising Concerns.

7.1. Non Executive Director is Seth Crofts and Executive Director is Lisa Salter.

7.2. Executive Director and Non Executive Director.

7.3. N/A

7.4. N/A

7.5. N/A

Please reply to the following questions in relation to the last 3 full financial years for the Trust (I refer to this as being "the Period" in the text of the questions).

8. Does the Trust have a whistleblowing policy? How many concerns were raised under the policy in each of the last 3 full financial years?

Yes here at WCFT we have [Raising Concerns \(whistleblowing\) Policy for the NHS](#).

8. N/A

Please reply to the following questions in relation to the last 3 full financial years for the Trust (I refer to this as being "the Period" in the text of the questions).

9. Please provide the name and full contact details for the Local Freedom to Speak Up Guardian (the Local Guardian) for the Trust. Is the Local Guardian a main board director of the Trust?

[Mrs Julie Kane, Freedom to Speak Up Guardian - The Walton Centre NHS Foundation Trust does not disclose individual staff members contact details. You can write to staff using the address above or alternatively email enquiries@thewaltoncentre.nhs.uk asking for your correspondence to be forwarded on.](#)

Please reply to the following questions in relation to the last 3 full financial years for the Trust (I refer to this as being "the Period" in the text of the questions).

10. How much did the Trust spend during the Period on legal and other professional fees for advice in connection with Whistleblowing Cases;

N/A

Please reply to the following questions in relation to the last 3 full financial years for the Trust (I refer to this as being "the Period" in the text of the questions).

11. How much did the Trust spend during the Period in making compromise or settlement payments to Whistleblowing Workers to settle their cases?

N/A

Please reply to the following questions in relation to the last 3 full financial years for the Trust (I refer to this as being "the Period" in the text of the questions).

12. Did the Trust enter into any Confidentiality Clauses or Non-Disclosure Agreements with Whistleblowing Workers during the Period and if so how many?

N/A

Please see our response above in [blue](#).

#### **Re-Use of Public Sector Information**

All information supplied by the Trust in answering a request for information (RFI) under the Freedom of Information Act 2000 will be subject to the terms of the Re-use of Public Sector Information Regulations 2005, Statutory Instrument 2005 No. 1515 which came into effect on 1st July 2005.

Under the terms of the Regulations, the Trust will licence the re-use of any or all information supplied if being used in a form and for the purpose other than which it was originally supplied. This license for re-use will be in line with the requirements of the Regulations and the licensing terms and fees as laid down by the Office of Public Sector Information (OPSI). Most licenses will be free; however the Trust reserves the right, in certain circumstances, to charge a fee for the re-use of some information which it deems to be of commercial value.

Further information can be found at [www.opsi.gov.uk](http://www.opsi.gov.uk) where a sample license terms and fees can be found with guidance on copyright and publishing notes and a Guide to Best Practice and regulated advice and case studies, at [www.opsi.gov.uk/advice/psi-regulations/index.htm](http://www.opsi.gov.uk/advice/psi-regulations/index.htm)

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Freedom of Information Office at the address above.

**Please remember to quote the reference number, FOI 4096 in any future communications.**

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

*Mike Burns*

**Mr. Mike Burns, Executive Lead for Freedom of Information**